

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BOARDS OF TRUSTEES OF THE CEMENT  
MASONS & PLASTERERS HEALTH &  
WELFARE TRUST, CEMENT MASONS AND  
PLASTERERS RETIREMENT TRUST, AND  
WESTERN WASHINGTON CEMENT MASONS  
JOURNEYMAN AND APPRENTICE  
TRAINING TRUST,

Plaintiffs,

v.

MASS EXCAVATION, INC., an Alaska  
Corporation,

Defendant.

Case No. 2:24-cv-00292-JHC

STIPULATION AND  
JUDGMENT OF DISMISSAL

The undersigned parties hereby stipulate to a judgment of dismissal of all claims against  
Defendant Mass Excavation, Inc. with prejudice and without costs or attorney fees to any parties.

SO STIUPLATED:

DATED this 1<sup>st</sup> day of May, 2025.

/s/ Noelle E. Dwarzski

Noelle E. Dwarzski, WSBA #40041  
TURNER, STOEVE & GAGLIARDI, P.S.  
Attorneys for Plaintiff Trust Funds

1 DATED this 1<sup>st</sup> day of May, 2025.

2 By: /s/ Bryan O'Connor (with permission)  
3 Bryan O'Connor, WSBA #23867  
4 JACKSON LEWIS P.C.  
Attorneys for Mass Excavation

5 JUDGMENT

6 NOW THEREFORE, it is hereby ordered and adjudged that Defendant Mass Excavation,  
7 Inc. is dismissed with prejudice and without costs or attorney fees to any parties.

8 DATED this 2nd day of May, 2025.

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10   
11 HONORABLE JOHN H. CHUN  
U.S. District Court Judge

12 Respectfully Submitted by:

13 Turner, Stoeve & Gagliardi, P.S.  
14 Attorneys for Plaintiff Trust Funds

Jackson Lewis, P.C.  
Attorneys for Defendant

15 /s/ Noelle E. Dwarzski  
16 Noelle E. Dwarzski, WSBA #40041

/s/ Bryan O'Connor (with permission)  
Bryan O'Connor, WSBA #23867